FORM NLRB-501 (3-21)

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

**CHARGE AGAINST EMPLOYER** 

DO NOT WRITE IN THIS SPACE			
Case		Date Filed	
	10-CA-292449	3/17/2022	

#### INSTRUCTIONS:

File an original with NLRB Regional Director for the region in 1. EMPL	Which the alleged unfair labor practice occurred or is occu OYER AGAINST WHOM CHARGE IS BROUGHT	urnng.
a. Name of Employer		b. Tel. No.
Area I		(678) 594-5227
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	a a mail
1688 White Circle	Nick Alley	g. e-mail
	CEO	nalley@areai.com
GA Marietta 30066		h. Number of workers employed 150
i. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service	•
Aerospace & Defense	Autonomous Aircraft Platform	
(list subsections) 1 practices are practices affecting commerce within the me meaning of the Act and the Postal Reorganization Act.  2. Basis of the Charge (set forth a clear and concise state)	aning of the Act, or these unfair labor practices are pra	
See additional page  (b) (6), (b) (7)(C) party filing charge (if labor organization, g	iiya full nama including local nama and numbor)	
(b) (6), (b) (7)(C) Party lilling charge (ii labor organization, g	ive full frame, including local frame and full local	
4a. Address (Street and number, city, state, and ZIP code	9)	4b. Tel. No. (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)		4c. Cell No.
		4d. Fax No.
		4e. e-mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organizatio	n of which it is an affiliate or constituent unit (to be filled	in when charge is filed by a labor organization)
	ARATION	Tel. No.
are true to the best of n	ove charge and that the statements ny knowledge and belief.	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Office, if any, Cell No.
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
(b) (6), (b) (7)(C)	Date_03/17/2022 08:49:51 PM	e-mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

#### **Basis of the Charge**

#### 8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages, hours, or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	threat of dismissal, constructive dismissal	(B)



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



**NLRB** Mobile App

March 18, 2022



**REGION 10** 

Atlanta, GA 30308

Suite 472

401 W. Peachtree Street, NE

Re: Area I

Case 10-CA-292449

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on March 17, 2022 has been docketed as case number 10-CA-292449. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Kami Kimber whose telephone number is (470)343-7487. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

March 18, 2022

Nick Alley, CEO Area I 1688 White Circle Marietta, GA 30066

**REGION 10** 

Atlanta, GA 30308

Suite 472

401 W. Peachtree Street, NE

Re: Area I

Case 10-CA-292449

Dear Mr. Alley:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Kami Kimber whose telephone number is (470)343-7487. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

#### Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 (3-11)	NATIONAL LABOR RELA	TIONS BOARD				
	QUESTIONNAIRE ON COMMERCE INFORMATION					
Please read carefully, answer all applicable items, and ret	urn to the NLRB Office. If addition	nal space is required, please	add a page and	identify item number.		
CASE NAME				E NUMBER		
				A-292449		
1. EXACT LEGAL TITLE OF ENTITY (As filed wi	ith State and/or stated in legal	documents forming entity)				
2. TYPE OF ENTITY	DADESTER COLUMN	- PROPRETED STEE	1.057757 43	:0.)		
11 11	PARTNERSHIP [ ] SOLI	E PROPRIETORSHIP [	] OTHER (Sp	pecify)		
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OR FORMATION	B. NAME, ADDRESS, AND	RELATIONSTHE (e.g. pare	ni, subsidiary)	OF ALL RELATED E	NIIIES	
4. IF AN LLC OR ANY TYPE OF PARTNERSHIP	P, FULL NAME AND ADDRE	SS OF ALL MEMBERS O	OR PARTNER	S.		
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRESS OF PROPRI	ETOR				
6. BRIEFLY DESCRIBE THE NATURE OF YOU	R OPERATIONS (Products ha	ındled or manufactured, or n	ature of service	es performed).		
7A. PRINCIPAL LOCATION:	7R RRANC	H LOCATIONS:				
7A. TRINCHAL ESCATION.	7B. BRAINE	ILOCATIONS.				
8. NUMBER OF PEOPLE PRESENTLY EMPLOY	YED					
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#### PRIVACY ACT STATEMENT

E-MAIL ADDRESS

DATE

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

SIGNATURE

NAME AND TITLE (Type or Print)

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

FORM NLRB-501 (3-21)

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE **AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE				
Case Date Filed				
10-CA-292449	3/24/2022			

#### **INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in v	which the alleged unfair labor practice occurred or is occurring	g.
1. EMPL	OYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No. 678-594-5227
Area I		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code)  1688 White Circle  Marietta, GA 30066	e. Employer Representative  Nick Alley, CEO	g. e-mail nalley@areai.com
manotta, en cooco		h. Number of workers employed 50+
i. Type of Establishment (factory, mine, wholesaler, etc.) Transportation	j. Identify principal product or service Parcel deliver	
The above-named employer has engaged in and is engag (list subsections) of the National Labor Relations Act, and or these unfair labor practices are practices affecting com	these unfair laborpractices are practices affecting comme merce within the meaning of the Act and the Postal Reorg	rce within the meaning of the Act, anization Act.
2. Basis of the Charge (set forth a clear and concise Within the previous six months the above-named enconditions of employment because conditions of employment and in order to discourage within the previous six months the above-named Errights protected by Section 7 of the Act by maintainic conditions of employment.  On about (b) (c) (c) (c) (c) (d) (d) (d) (d) (d) (d) (d) (d) (e) (e) (e) (e) (e) (e) (e) (e) (e) (e	nployer has retaliated against its employee, (b) (6), (b) ged in protected concerted activities, inter alia, discuse employees from discussing wages and terms and imployer has interfered with, restrained, and coerceding work rules that prohibit employees from discussion, through its officers, agents, and representative protected by Section 7 of the Act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the act by threatening to respect to the section of the section of the act by threatening to respect to the section of the secti	(7)(C), by changing the terms and ussing wages and/or other terms and conditions of employment.  I its employees in the exercise of ng wages, hours or other terms or s, has interfered with, restrained,
3. Full name of party filing charge (if labor organization, gi (b) (6), (b) (7)(C)	ive full name, including local name and number)	
4a. Address (Street and number, city, state, and ZIP code	e)	4b. Tel. No.
(b) (6), (b) (7)(C)		4c. Cell No. (b) (6), (b) (7)(C)
		4d. Fax No.
		4e. e-mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization	of which it is an affiliate or constituent unit (to be filled in w	hen charge is filed by a labor organization)
	ARATION ve charge and that the statements by knowledge and belief.	Tel. No. (b) (6), (b) (7)(C)
	(b) (6), (b) (7)(C)	Office, if any, Cell No.
(si rge)	(Print/type name and title or office, if any)	Fax No.
Address (b) (6), (b) (7)(C)		e-mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) **PRIVACY ACT STATEMENT** 

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



Download

REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta. GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

March 25, 2022

Nick Alley, CEO Area-I, LLC 1688 White Circle Marietta, GA 30066

Re: Area-I, LLC

Case 10-CA-292449

Dear Mr. Alley:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney Kami Kimber whose telephone number is (470)343-7487. If the agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosure: Copy of first amended charge



REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

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Very truly yours,

LISA Y. HENDERSON Regional Director FORM NLRB-501 (3-21)

Address

#### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD SECOND AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE					
Case		Date Filed			
	10-CA-292449	8/26/22			

,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		10-CA-292449	8/26/22
INSTRUCTIONS: File an original with NLRB Regional Director for the regional	on in which the alleged unfair labor practice	occurred or is occurring	
	MPLOYER AGAINST WHOM CHARGE		
a. Name of Employer		b. Tel. No.	
		678-594-5227	
Area-I, Inc.,		c. Cell No.	
		f. Fax. No.	
d. Address (Street, city, state, and ZIP code)	e. Employer Representative		
4000 W/Life Cirele	Nick Alley, CEO	g. e-mail nalley@areai.o	com
1688 White Circle	NICK Alley, CLO	mano) @aroan.	2011
Marietta, GA 30066		h. Number of v	workers employed
		50+	
i. Type of Establishment (factory, mine, wholesaler, Transportation	etc.) j. Identify principal product or service Parcel deliver	ce	
The above-named employer has engaged in and is a	Langaging in unfair labor practices within th	e meaning of section 8(a), subsections	(1) and
(list subsections) of the National Labor Relations Act			
or these unfair labor practices are practices affecting	commerce within the meaning of the Act	and the Postal Reorganization Act.	
On about (b) (6), (b) (7)(C) 2021, the above-named E and coerced its employees in the exercise of right discussed their wages or other terms and cond On about (b) (6), (b) (7)(C) 2021, the above-named E and coerced its employees in the exercise of right concerted activities.	ghts protected by Section 7 of the Actions of employment.  mployer, through its officers, agents, ghts protected by Section 7 of the Action 7.	t by threatening to retaliate against and representatives, has interfere t by interrogating employees about	t employees if they d with, restrained,
3. Full name of party filing charge (if labor organizati	on, give iuli name, including local name a	na number)	
4a. Address (Street and number, city, state, and ZIF	code)	4b. Tel. No.	
(b) (6) (b) (7)(C)			
(b) (6), (b) (7)(C)		4c. Cell No. (b) (6), (b) (7)(C)	
		4d. Fax No.	
		4e. e-mail	(7)(0)
Full name of national or international labor organia	zation of which it is an affiliate or constitue	(b) (6), (b) ent unit (to be filled in when charge is filed	, , , ,
0.5	ECLARATION	Tel. No.	
Ldoclare that I have read the	above charge and that the statements	(b) (6), (b) (7)(C	
(b) (6), (b) (7)(C) o the bes	t of my knowledge and belief.	Office, if any, (	Cell No
(5) (5), (5) (1)(5)	(b) (6), (b) (7)(C)	Office, if diffy,	
(signat king charge		office, if any) Fax No.	
g whalst	, the same and the or		
(b) (6), (b) (7)(C)	26AUG	e-mail (b) (b) (b)	(7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Date

(b) (6), (b) (7)(C)

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REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

August 29, 2022



Re: Area-I, Inc.

Case 10-CA-292449

Dear (b) (6), (b) (7)(C)

We have docketed the second amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Attorney KAMI KIMBER whose telephone number is (470)343-7487. If the agent is not available, you may contact Supervisory Field Attorney MATTHEW TURNER whose telephone number is (470)343-7497.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the second amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Verry D. Combs

Acting Regional Director



Download

REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

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Very truly yours,

Terry D. Combs

Acting Regional Director

Enclosure: Copy of second amended charge

cc: Todd Wulffson

Carothers DiSante & Freudenberger 18300 Von Karman Ave Ste 800

Irvine, CA 92612

#### NATIONAL LABOR RELATIONS BOARD

#### NOTICE OF APPEARANCE

(b) (6), (b) (7)(C) and	CASE 10-CA-292449
AREA-I, LLC	
X REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOA	
Wash ngton, DC 20570	Wash ngton, DC 20570
IN THE ABOVE-CAPTIONED MATTER.  CHECK THE APPROPRIATE BOX(ES) BELOW:	
REPRESENTATIVE IS AN ATTORNEY  IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSU CERTAIN DOCUMENTS OR CORPE.  CE FROM THE AGENC BOX MIST BE CHECKED. IF THE SPACE CHECKED, THE PAR DOCUMENTS SUCHAS CHARGES, PETITIONS AND FORMAL DOCUMENTS	Y IN ADDITION TO THOSE DESCRIBED BELOW, THIS RTY WILL RECEIVE ONLY COPIES OF CERTAIN
CASEHANDLING MANUAL.	
(REPRESENTATIVE IN	FORMATION)
Todd R. Wulffson, CD Labor Law LLP 18300 Von Karman Avenue, Suite 800.	
MAILING ADDRESS: 18300 Von Karman Avenue, Suite 800,	Irvine, CA 92612
Arry Hans Moria andrew	of \
E-MAIL ADDRESS: twulffsor @cdfjaborlaw.com	
OFFICE TELEPHONE NUMBER: 949-622-1661	
CELICERONE NORMER USON	FAX:
SIGNATURE THE	
1 -	
Defendant has delayed discovery and would have continued to delay discovery in this matter under	
	E IS SENT TO THE GENERAL COUNSEL OR THE AL DIRECTOR OF THE REGION IN WHICH THE CASE
	NCE

## UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD SETTLEMENT AGREEMENT

IN THE MATTER OF Area-I, Inc.

Case 10-CA-292449

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS**:

**POSTING OF NOTICE** — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them where notices to employees are customarily posted at the Charged Party's facility located at 1688 White Circle, Marietta, Georgia. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

**INTRANET POSTING** - The Charged Party will also post a copy of the Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, on its intranet at the location the Charged Party posts notices to employees, and keep it continuously posted there for 60 consecutive days from the date it was originally posted. To document its compliance with this requirement, the Charged Party will submit a screen shot of the intranet or website posting, along with a fully completed Certification of Posting form, via the Agency's e-filing portal at <a href="www.nlrb.gov">www.nlrb.gov</a>. Should further investigation or verification of the intranet or website posting become necessary, the Charged Party will provide appropriate intranet or website access to the Compliance Assistant or Compliance Officer assigned to the case.

ELECTRONIC DISTRIBUTION OF NOTICE — The Charged Party will transmit via email and Slack a copy of the signed Notice a in English, and in additional languages if the Regional Director decides that it is appropriate. The message of the text transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 10 of the National Labor Relations Board in Case 10-CA-292449. You have the right to engage in protected activities and to discuss your wages and other terms and conditions of employment, and we will not threaten to retaliate against you for doing so." To document its compliance with this requirement, the Charged Party will efile a copy of its distribution e-mail, with all of the recipients' e-mail addresses visible, and its Slack distribution message, along with a copy of the attached Notice and a fully completed Certification of Posting form, via the Agency's e-filing portal at www.nlrb.gov.

**COMPLIANCE WITH NOTICE** — The Charged Party will comply with all the terms and provisions of said Notice.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

	(b) (6), (b) (7)(C)		
Initials:			

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices, and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes		No	
_	Initials	Initial:	 S

**PERFORMANCE** — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees. The Board may then, without necessity of trial or any other proceeding, find all allegations of the complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Charged Party agrees that the Board may then issue an order providing, as elected by the Regional Director, a full remedy for the violations found as is appropriate to remedy such violations, and/or an order requiring the Charged Party to perform terms of this settlement agreement as specified by the Regional Director. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board order ex parte, after service or attempted service upon Charged Party/Respondent at the last address provided to the General Counsel.

**NOTIFICATION OF COMPLIANCE** — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the

	(D) (O), (D) (7)(C)	
Initials:		

Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

<b>Charged Party</b>			Chargi	ng Party	
Area-I, LLC			(b) (b), (	b) (7)(C)	
By: Name	e and Title	Date	By:	Name and Title	Date
		10-3-2022	(b) (6), (b	o) (7)(C)	
/s/ Todd Wu	lffson				30SEP2022
Print Name and	Title below		Ī		
Todd Wulffso	n		(k	o) (6), (b) (7)(C	
Recommended I	Зу:	Date	Approv	ed By:	Date
			Cyf	No.	10-3-2022
Kami Kimber			LISA Y	. HENDERSON	
Field Attorney			Regiona	l Director, Region 1	0

#### (To be printed and posted on official Board notice form)

#### THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT interfere with, restrain, or coerce you in the exercise of the above rights.

YOU HAVE THE RIGHT to discuss wages and other terms and conditions of employment with other employees, and WE WILL NOT do anything to interfere with your exercise of that right.

WE WILL NOT tell you that you cannot discuss or complain about your wages or make it seem like you cannot discuss or complain about your wages by telling you if you are working for the money, you are working here for the wrong reason and show you the exit.

WE WILL NOT ask you about your discussions with other employees about wages, compensation and/or other terms and conditions of employment, including asking you you what you hope to gain from your discussions with other employees about your wages, compensation and/or other terms and conditions of employment.

**WE WILL NOT** tell you that discussing wages will prevent the us from providing discretionary salary bonuses to employees.

WE WILL NOT maintain any rules that stop you from discussing wages and other terms and conditions of employment with other employees.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL rescind or revise the following rules in our in our Employee Handbook, and effectively notify all employees of the recission or revision; if revised, WE WILL provide you with a copy of the revised rules:

- Rule 3.9 Non-Disclosure/Confidentiality: Personnel/Payroll records and compensation data
- Rule 4.5 Personnel Records
- General Confidentiality Provision prohibiting disclosure of the employee handbook

Area-I, LLC			
	Initials	(b) (6), (b) (7)(C)	

		(Employer)		
Dated:	By:			
		(Representative) (Title)		

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation, and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Callers who are deaf or hard of hearing who wish to speak to an NLRB representative should send an email to relay.service@nlrb.gov. An NLRB representative will email the requestor with instructions on how to schedule a relay service call.

401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

**Telephone:** (404) 331-2896

**Hours of Operation:** 8 a.m. to 4:30 p.m.

#### THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced, or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

	(b) (6), (b) (7)(C)	
Initials:		



## NOTICE TO EMPLOYEES



#### POSTED PURSUANT TO A SETTLEMENT AGREEMENT APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD

#### AN AGENCY OF THE UNITED STATES GOVERNMENT

#### THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

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WE WILL NOT tell you that you cannot discuss or complain about your wages or make it seem like you cannot discuss or complain about your wages by telling you if you are working for the money, you are working here for the wrong reason and show you the exit.

WE WILL NOT ask you about your discussions with other employees about wages, compensation and/or other terms and conditions of employment, including asking you you what you hope to gain from your discussions with other employees about your wages, compensation and/or other terms and conditions of employent.

WE WILL NOT tell you that discussing wages will prevent the us from providing discretionary salary bonuses to employees.

WE WILL NOT maintain any rules that stop you from discussing wages and other terms and conditions of employment with other employees.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

**WE WILL** rescind or revise the following rules in our in our Employee Handbook, and effectively notify all employees of the recission or revision; if revised, WE WILL provide you with a copy of the revised rules:

- Rule 3.9 Non-Disclosure/Confidentiality: Personnel/Payroll records and compensation data
- Rule 4.5 Personnel Records
- General Confidentiality Provision prohibiting disclosure of the employee handbook

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative Should contact the Federal Relay Service (link is external) by visiting its website at <a href="https://www.federahrelay.us/ttv">https://www.federahrelay.us/ttv</a> (link is external), calling one of its toll-free numbers and asking its Communications Assistant to call our toll-free number at 1-844-762-NLRB.

233 Peachtree Street, NE, Harris Tower, Suite 1000 Atlanta, Georgia 30303-1504 Telephone: (404) 331-2896 Hours of Operation: 8:00 a m. to 4:30 p.m.



# NOTICE TO EMPLOYEES



#### POSTED PURSUANT TO A SETTLEMENT AGREEMENT APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD

AN AGENCY OF THE UNITED STATES GOVERNMENT

	Area-I, LLC	
	(Employer)	_
Dated:	By:	(T'.1)
	(Representative)	(Title)

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#### THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 90 consecutive days from the date of posting and must not be altered, defaced, or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer, Jenny Dunn, at 336-582-7134.